

REMARKS

Claims 1-23 are pending. Independent claims 1, 13, 22 and 23 are amended herewith.

In an Official Action dated March 27, 2007, claims 1-23 were rejected under 35 U.S.C. § 103. The independent claims are amended to incorporate aspects not disclosed in the references of record. Claims 6-7 and 16-17 are canceled.

Interview Summary

Applicants would like to thank the Examiner for the courtesy of a telephonic interview on June 11, 2007. At the interview, the undersigned and Examiner Tsai discussed adding a “proactive caching” limitation to the claims. Applicants’ representative agreed to consider appropriate amendment language and submit a written response.

Rejection of Claims 1-23 Under 35 U.S.C. § 103

Claims 1-23 were rejected under 35 U.S.C. § 103 as allegedly obvious over U.S. Pat. 7,043,558 (Yoshida) in view of U.S. Pub. 2004/0024941 (Olarig) and further in view of U.S. Pat. 6,986,018 (O’Rourke). Independent claims 1, 13, 22, and 23 are amended to include limitations substantially similar to the following language from amended claim 1:

wherein the adaptable cache monitors requests for media assets, determines that select media assets should be cached, transfers said select media assets from one or more storage devices to the electronic storage media, and notifies a requesting application that the adaptable cache can accept future requests for said select media assets.

These limitations are supported in Applicants’ specification for example in paragraphs describing “proactive caching” aspects of the invention, namely Fig. 9 and corresponding text (paragraphs 00080-00087), and Fig. 10 and corresponding text (paragraphs 00089-00091).

The Official Action of March 27, 2007 rejected limitations similar to the above in previously pending claims 6-7 and 17-18. However, the Examiner will appreciate on further consideration that neither U.S. Pat 7,043,558 (Yoshida) nor the other references of record disclose, in particular, that an adaptable cache “*notifies a requesting application that the*

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adaptable cache can accept future requests for said select media assets” as required by the pending independent claims.

Yoshida column 4, lines 35-44 disclose “a communication rate dynamically setting unit for dynamically setting a communication rate...” and “the file receiving unit receives the requested information data file at the communication rate dynamically set by the communication rate dynamically setting unit.” It will be appreciated that this language does not disclose notifying a requesting application that the adaptable cache can accept future requests for select media assets, as required by the claims.

Applicants thank the Examiner for his work on this application and request reconsideration in view of these amendments and remarks.

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